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RUEHSM/AMEMBASSY STOCKHOLM PRIORITY 9048
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RUEHVI/AMEMBASSY VIENNA PRIORITY 0817
RUEHGV/USMISSION GENEVA PRIORITY 0410
RUCNDT/USMISSION USUN NEW YORK PRIORITY 9966
RUEHBS/USEU BRUSSELS PRIORITY
INFO EU MEMBER STATES COLLECTIVE PRIORITY
RUEHBK/AMEMBASSY BANGKOK PRIORITY 6297
RUEHBJ/AMEMBASSY BEIJING PRIORITY 3062
RUEHLM/AMEMBASSY COLOMBO PRIORITY 6763
RUEHKA/AMEMBASSY DHAKA PRIORITY 2783
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 6594
RUEHJA/AMEMBASSY JAKARTA PRIORITY 6871
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 4380
RUEHKL/AMEMBASSY KUALA LUMPUR PRIORITY 3992
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RUEHGP/AMEMBASSY SINGAPORE PRIORITY 2788
RUEHTV/AMEMBASSY TEL AVIV PRIORITY 0749
RUEHWL/AMEMBASSY WELLINGTON PRIORITY 1040
RUEHCG/AMCONSUL CHENNAI PRIORITY 0148
RHMFISS/JOINT STAFF WASHINGTON DC PRIORITY
RUEHRN/USMISSION UN ROME PRIORITY 0818
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SUBJECT: SRI LANKA: ENGAGING INTERNATIONAL PARTNERS

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11. (U) This is an action request; see paragraph 11.

12. (SBU) Summary: Sri Lankan President Mahinda Rajapaksa has followed his January 26 re-election with the extra-legal arrest of the opposition candidate and intimidation of independent media. While Rajapaksa's administration has faced criticism within the country, we seek to coordinate our message with international partners in Sri Lanka to persuade Rajapaksa to abide by the constitution, begin reconciliation, allow freedom of movement for all internally displaced persons (IDPs), and initiate an accountability process. End Summary.

Smooth Election, Bumpy Post-Election

13. (SBU) The political situation in Sri Lanka remains fluid since the January 26 presidential election, in which incumbent President Mahinda Rajapaksa defeated former Army Commander and Chief of Defense Staff General Sarath Fonseka by a wide margin. The results were expected to be closer, but most domestic and international observers have acknowledged Rajapaksa's victory, though the opposition has charged fraud. Since his victory, however, Rajapaksa has moved aggressively to consolidate his political control,

arresting General Fonseka on allegations of engaging in political activity while serving as an Army officer, and conspiring against the president. The Rajapaksa government, including the president's brother, Defense Secretary Gotabhaya Rajapaksa, has forced a number of senior Army officers into retirement, and arrested dozens of other active duty retired army officers, some campaign workers and clerical staff, and members of the Fonseka family. Hundreds of police officers suspected of being sympathetic to Fonseka have also been reassigned.

Fonseka Under Arrest

¶4. (SBU) General Fonseka remains under arrest for alleged violations of the Sri Lankan Army Act; no formal charges, however, have yet been filed against him. We are continuing to urge, publicly and privately, that any action against Fonseka be taken in accordance with Sri Lankan law and in the spirit of national reconciliation. We have called on the GSL to make public the legal basis for the action against Fonseka and stressed the need to work to overcome the fissures that exist within Sri Lankan society. Our message echoes statements by our Indian and European partners, and the UN Secretary General, who intends to dispatch Undersecretary General for Political Affairs Lynn Pascoe to Colombo soon.

Independent Press Intimidated

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¶5. (SBU) We also have expressed our concern about reports of post-election intimidation of independent media. For example, representatives of Lanka e-news, the media outlet that employed Prageeth Eknaligoda, a journalist who disappeared on January 24, reported to Embassy Colombo that paramilitaries surrounded their office after the election. Other journalists affiliated with pro-opposition party media are known to be in hiding or have been detained and questioned regarding pro-Fonseka articles that appeared prior to the election. Despite the lack of any terrorist incidents or credible security threats since the end of the war last May, the GSL also continues to renew monthly its Emergency Regulations, which allow detentions, restrictions on the press and assembly, and other repressive measures, all of which at this point appear to have more to do with restricting political dissent than enhancing national security.

Domestic Critics Include Buddhist Monks

¶6. (SBU) The GSL has begun to face blowback for its heavy-handedness. The Colombo Chief Magistrate strongly reprimanded police for the severe tactics, including tear gas, used against opposition protesters on February 10 that resulted in a number of injuries, and ordered released on February 17 fourteen persons, including active-duty armed forces personnel, who had been arrested at Fonseka's campaign office January 29. The influential head of the oldest and largest Buddhist sect in Sri Lanka shocked the country by saying on February 9 that it was a "grave crime" to imprison a war hero. The prelate said Fonseka's service to the nation in defeating terrorism entitled him to be pardoned and lamented that people are living in fear or even fleeing into the jungle because they voted for Fonseka. A Sanga Sabha, or monks' council, for all Buddhist monks in Sri Lanka was to be held on February 18, but was postponed indefinitely, reportedly as a result of threats against the monks by pro-government individuals.

Some Progress, but Missed Opportunity

¶7. (SBU) The Sri Lankan presidential election was an

important opportunity for progress toward national reconciliation. Although Fonseka was known as a Sinhalese nationalist, and alleged by some to have been, like President Rajapaksa, responsible for potential violations of international humanitarian law and other actions against Tamil civilians during the final stages of the conflict, the decision by Tamil political representatives to support Fonseka brought many Sri Lankan Tamils into the political process for the first time in decades. Likewise, the GSL undertook a number of important initiatives to gain Tamil votes, most importantly by allowing increased freedom of movement for and expediting greatly the return home of people internally displaced by the end of the conflict with the Tamil Tigers (LTTE). Some important steps had also been taken on human rights, including the release on bail of the

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prominent Tamil journalist, J.S. Tissainayagam, and a noticeable decrease in the level of disappearances. This progress, which had led us to begin to explore opportunities for how the United States could start to expand its engagement with the GSL, has been reversed by the government's actions against Fonseka, his supporters, and the independent media -- further polarizing the country.

Accountability, Reconciliation and War Crimes

18. (SBU) The State Department will report to Congress in June on GSL progress in addressing alleged incidents of potential violations of international humanitarian law and other harms catalogued in a Department report last October. In November 2009, President Rajapaksa appointed a group of eminent persons to look into the allegations and provide findings to him by December 31; the date was subsequently postponed to April. We are unaware of how much progress the group has made. With parliamentary elections planned for April, we are concerned the government may again extend the deadline. Calls for an international investigation will likely increase the longer the GSL defers action. Speaking to the BBC following the presidential election, Defense Secretary Rajapaksa ruled out categorically any international investigation, though he did not rule out a domestic accountability process, such as, for example, a truth and reconciliation commission. Accountability is an important element of national reconciliation. We wish to continue to encourage and work with the GSL to identify a mechanism and initiate a credible and transparent accountability process.

Accusations Against the U.S.

19. (SBU) GSL officials have sought to besmirch Fonseka by alleging that the United States and Norway bankrolled and supported his candidacy, and that the U.S. conspired with Fonseka to overthrow the Sri Lankan government. Such allegations have been categorically rejected by the U.S. Embassy and by the Department. At the same time, China, Russia, and Iran are continuing to increase their influence in Sri Lanka. Chinese foreign direct investment, for example, is estimated at \$6 billion, and Iran supplies nearly all of Sri Lanka's oil imports.

Sri Lanka Will Survive

10. (SBU) Fortunately, Sri Lanka has a strong democratic tradition, and its legal and political institutions retain some of their former vibrancy. More importantly, it has an educated and influential middle class that wishes to retain Sri Lanka's Western orientation. Strengthening democratic impulses within Sri Lanka will be an essential component of any international effort to help bolster democracy and the rule of law in Sri Lanka.

Action Request: Engage International Partners

¶11. (SBU) Action Request: As we discuss internally how best to engage the GSL in this new, post-election environment, we ask action addressees to 1) convey to host governments our concern, citing examples in the above paragraphs, about the deteriorating political situation in Sri Lanka and 2) to solicit from host governments their views on our assessment, and how the international community can work together to help prevent further deterioration and resume progress on our shared goals, including, but not limited to:

- Freedom of movement for and the voluntary return of the 100,000 internally displaced persons (IDPs) who remain in camps;
- Political reconciliation, including ending media intimidation and other human rights abuses, and implementation of political and constitutional reforms that would devolve political power to local governments and increase the political participation of minority communities; and
- Initiating a credible and transparent accountability process, in consultation with Sri Lankan Tamils and other minority communities.

¶12. (U) Please slug responses to SCA/INSB Anthony Renzulli and S/WCI Shaun Coughlin. Please direct any questions to Anthony Renzulli, Sri Lanka/Maldives Desk Officer, 202-647-1078.
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